

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

BRENDA ANN SCHWARTZ and PAUL GRANT  
SCHWARTZ,

Plaintiffs,

v.

ACCURATUS CORPORATION, in its own right  
and as successor in interest to Accuratus Ceramic  
Corporation,

Defendant.

CIVIL ACTION  
NO. 12-6189

**ORDER**

**AND NOW**, this 30<sup>th</sup> day of March, 2017, upon consideration of the parties' supplemental briefing following remand, after argument held, and for the reasons more fully stated in the accompanying memorandum opinion, it is hereby **ORDERED** that Defendant's Motion to Dismiss is **DENIED**, and Counts I, IX, and X may proceed as against Defendant Accuratus.

All other counts remain dismissed in accordance with prior order, as the Third Circuit vacated only the dismissal of Count I.

**BY THE COURT:**

**s/s JEFFREY L. SCHMEHL**  
Jeffrey L. Schmehl, J.